

**Marquis Aurbach**

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**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THE ESTATE OF PAUL LEWIS  
BROWNING; *EX REL*, BETTIE  
BROWNING, ADMINISTRATOR OF THE  
ESTATE OF PAUL LEWIS BROWNING,

Plaintiffs,

vs.

LAS VEGAS METROPOLITAN POLICE  
DEPARTMENT; LT. GREG JOLLEY; LT.  
JOHN CONNER; SGT. F. JERGOVIC;  
SGT. C. ALBERT; DETECTIVE SGT.  
MICHAEL BUNKER, #653; DETECTIVE  
SGT. T. ROSEN; DETECTIVE ROBERT  
LEONARD, P#471; DETECTIVE H. OREN;  
DETECTIVE BERT LEVOS, #144;  
DETECTIVE THORTON; OFFICER  
GREGORY BRANON, P#2187; OFFICER  
GARY CALDWELL, P#2301; OFFICER  
DAVID RADCLIFF, P#2191; OFFICER R.  
ROBERTSON, P#120; and  
IDENTIFICATION SPECIALIST DAVID  
R. HORN, #C1928,

Defendants.

CASE NO. 2:20-cv-01381-KJD-VCF

**STIPULATION AND ORDER TO STAY SUMMARY JUDGMENT BRIEFING  
PENDING RESOLUTION OF PLAINTIFFS' MOTION FOR LEAVE TO AMEND  
COMPLAINT (FIRST REQUEST)**

Plaintiffs, by and through their attorney of record, David B. Owens, Esq. and Elizabeth Wang, Esq. of Loevy & Loevy, and Defendants, by and through their attorney of record, Craig R. Anderson, Esq. of Marquis Aurbach, hereby agree and jointly stipulate to Stay the briefing on Defendants' Motion for Summary Judgment (ECF No. 61) until after the Court has ruled upon

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1 Plaintiffs' Motion to Amend Complaint (ECF No. 64). This request is brought in good faith with  
2 the intention of promoting judicial economy. The requested stipulation is based on the following:

3 1. The parties have completed discovery.

4 2. On January 26, 2023, Defendants filed a Motion for Summary Judgment on all  
5 claims. (ECF No. 61.)

6 3. By way of stipulation and order, the Plaintiffs' current deadline to respond to the  
7 Defendants' Motion for Summary Judgment is March 10, 2023. (ECF No. 63.)

8 4. On March 1, 2023, Plaintiffs filed a Motion for Leave to Amend Complaint.  
9 (ECF No. 64.)

10 5. The Defendants are in the process of drafting an opposition to Plaintiffs' Motion  
11 for Leave to Amend Complaint.

12 6. Plaintiffs' Motion for Leave to Amend Complaint potentially impacts the  
13 Defendants' pending Motion for Summary Judgment.

14 7. If the Plaintiffs' Motion for Leave to Amend Complaint is granted, the  
15 Defendants will respond to the Amended Complaint, will determine whether additional  
16 discovery is required on the new claims, and whether they need to supplement their Motion for  
17 Summary Judgment.

18 8. If the Plaintiffs' Motion for Leave to Amend Complaint is denied, then the parties  
19 can meet and confer within 15-days of the denial and propose a new briefing schedule to the  
20 Court.

21 9. Because the Plaintiffs' Motion for Leave to Amend Complaint could impact the  
22 arguments in Defendants' Motion for Summary Judgment, the parties agree that for judicial  
23 economy purposes it is best to Stay the dispositive motion briefing.

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10. This request is not being submitted to unduly delay or prejudice any party but to protect the Court from wasting time and resources in evaluating the Defendants' current Motion for Summary Judgment when the Plaintiffs' Motion for Leave to Amend may impact the same.

IT IS SO STIPULATED this 6<sup>th</sup> day of March, 2023.

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**ORDER**

IT IS SO ORDERED that the briefing schedule regarding Defendants' Motion for Summary Judgment (ECF No. 61) is STAYED pending resolution of Plaintiff's Motion for Leave to Amend Complaint (ECF No. 64).

IT IS SO ORDERED that the Parties will meet and confer and file a Status Report with the Court withing 15-days of the Court ruling on Plaintiff's Motion for Leave to Amend Complaint (ECF No. 61).

Dated: 3/8/2023

  
\_\_\_\_\_  
United States District Court Judge

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